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TRANSMITTAL FORM			Filing Date			08/04/2003					
			First Named Inventor			Kostorapa					
			Art Unit			1616					
			Examiner Name			Singh					
(to be used for all correspondence after initial filing)			Attorney Docket Number			· · · · · · · · · · · · · · · · · · ·					
Total Number of Pages in This Submission 5			-		AXP-0003B						
ENCLOSURES (Check all that apply)											
Fee Transmittal) related Papen			After Allowance Communication to TC Appeal Communication to Board of Appeals and Interferences			Board	
Amendment/Reply After Final Affidavits/declaration(s) Extension of Time Request Express Abandonment Request Information Disclosure Statement		Patition Patition Patition to Convert to a Provisional Application Power of Attorney, Revocation Change of Correspondence Attorney Terminal Disclaimer Request for Refund CD, Number of CD(s) Landscape Table on CD			noe Ad	dress		(Appropri	peal Communication to TC. peal Notice, Brief, Reply Brief) prietary information this Letter her Enclosure(s) (please identify ow):		
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Reply to Missing Parts/ incomplete Application Reply to Missing Parts under 37 CFR 1.52 or 1.53		se autho	rization t	o be charged t	to depo	osit accou	unt is incl	luded	on Form P		EIVED E/IAP
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT											
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Signature Company of the Company of											
Printed name David W Barman											
Date 09/22/2005 Reg. No. 47,225											
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Typed or printed name David W Barman								Date	09/	22/20	205

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US Pat Ser No 10/634,321 Response filed on 9/22/2005

SEP 2 2 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Kositprapa

Serial No.

10/634,321

Filed:

August 4, 2003

Art Unit:

1616

Attorney Docket No. AXP-0003B

Examiner:

Singh

For:

Pharmaceutical Formulation

CERTIFICATE UNDER 37 CFR 1.8(a)

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RESPONSE TO OFFICE ACTION

Mail Stop-Patent Application Commissioner of Patents PO Box 1450 Arlington VA 22313-1450

Dear Sir:

This is in response to the Office Action mailed August 5, 2005 in the above-referenced patent application.

A petition for a one-month extension of time and authorization to charge a deposit account the petition fee accompanies this submission.

Applicant disagrees with the characterization that the species disclosed are patentably distinct. In order to expedite the prosecution of the subject application, Applicant will elect, with traverse, anti-depressants as the species to be prosecuted. The Action has also requested selection of a single pharmaceutical active ingredient and a single specific enteric coating component. Applicant believes this requirement to be for the purposes of

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searching and does not intend to limit the scope of invention to either a single active ingredient or a single enteric coating component. Applicant, at this time selects paroxetine as the active ingredient and methacrylate polymers as the single enteric coating component.

Applicant believes that the requirements of the instant Office Action have been met and examination of the application on the merits may to commence.

If the examiner believes a telephone interview would assist in the prosecution of this application, he is invited to call David Barman, who is agent of record at 954-382-7634.

Respectfully submitted,

David W. Barman Reg. No. 47,225 Andrx Corporation 8151 Peters Rd

Plantation FL 33324 Ph.: 954-382-7634 Fax: 954-382-7600 09/20/2005